

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: 10/598,597

Filing Date: October 11, 2007

Applicant: John E. Davies et al.

Title: SERUM-FREE SUSPENSION  
CULTURE SYSTEM FOR  
MESENCHYMAL  
PROGENITOR CELLS

Examiner: EPPS-SMITH, Janet L.

Attorney's Ref.: 1716-30/AMK

Commissioner for Patents  
United States Patent and Trademark Office

**APPLICANT'S INTERVIEW SUMMARY**

Dear Sir:

A telephone interview was conducted on September 23, 2009. In attendance were Examiner Janet Epps-Smith, and on behalf of the Applicants, Adrian Kaplan, Mee Ling Wong and Scott Duncan.

The interview was initiated at the Applicants' request to discuss the Examiner's Report of June 10, 2009, and in particular, the rejection of claims 1-7 and 9 under 35 USC 102(b) as being anticipated by Baksh et al.

With respect to Baksh et al., the Applicants noted that Baksh et al. disclosed the use of serum supplemented long term culture (LTC) medium for the initiation of stirred suspension cultures of progenitor cells and directed the Examiner's attention to paragraphs [0089] and [0094]-[0095] from US Patent Publication 2004/0137612. Applicants further noted that Baksh et al only disclosed serum free conditions for the differentiation of progenitor cells into certain cell types.

The Examiner was in agreement that Baksh et al discloses the use of serum supplemented culture medium for the initiation of stirred suspension cultures of progenitor cells. No agreement was reached as to whether the claims were in an allowable state. The Examiner indicated that any claim amendments would necessitate a further search of the art.

Date: October 22, 2009



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